

Before the Board of Zoning Adjustment, D. C.

Application No. 11854, of the Estate of B. Z. Howe, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Sub-section 7104.2 and Section 7109 to change a non-conforming use from an artists' studio with retail sales to an office in the R-5-B District at the premises 1730 21st Street, N. W., (Square 65, Lot 803).

HEARING DATE: March 31, 1975

DECISION DATE: April 22, 1975

DISPOSITION: Application DENIED by a vote of 4-0 (Mr. Scrivener, Mr. Harps, Mr. McIntosh and Lilla Burt Cummings, Esq., to deny, Mr. Klauber abstaining).

FINAL DATE OF ORDER: May 19, 1975

MOTION FOR RECONSIDERATION FILED: May 29, 1975

REHEARING GRANTED: January 14, 1976, by a vote of 4-0

ORDER

Upon consideration of the applicants' letter, dated February 9, 1976, it is hereby ordered that this case be DISMISSED WITHOUT PREJUDICE as the case is moot.

DECISION DATE: February 24, 1976

VOTE: By unanimous consent (Mr. McCants not present)

BY ORDER OF THE D. C. BOARD OF ZONING

ATTESTED By: _____

STEVEN E. SHER

Acting Secretary to the Board

FINAL DATE OF ORDER: **MAR 10 1976**

BEFORE THE BOARD OF ZONING ADJUSTMENT, D. C.

Application No. 11854 of the Estate of B.Z. Howe, pursuant to Section 8207.2 of the Zoning Regulations for a special exception to permit a change of a non-conforming use from an artist studio to a visa service office in the R-5-B zone as provided by Section 7104.2 and 7109 of the regulations at the premise 1730 21st Street, N.W., Lot 803, Square 65.

HEARING DATE: March 31, 1975

DECISION: April 22, 1975

ORDER

Upon consideration of the above application, the Board finds that the proposed use of the subject property as a general business office does not meet the criteria for a change of a non-conforming use as set forth in Section 7104.2 of the regulations, because the proposed use is not permitted in the most restrictive zone district in which the present use is permitted, thus, the Granting of this application would make the use of the subject property more non-conforming to the R-5-B zone. Therefore, the Board concludes as a matter of law, that the relief requested herein must be DENIED.

ORDERED:

THAT THE ABOVE APPLICATION BE AND IS
HEREBY, DENIED.

VOTE: 4-0 (Mr. Klauber dissenting.)

ATTESTED BY:



JAMES E. MILLER

Secretary to the Board

Final Date of This Order: MAY 19 1975